



PATENT  
SYRTECH-5002-C6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

FEB 12 2004

TC 1700

In re the Application of:

Peter R. David

Serial No.: 10/060,955

Filed: January 29, 2002

For: MICROFLUIDIC METHOD  
EMPLOYING DELIVERY OF  
PLURAL DIFFERENT FLUIDS TO  
SAME LUMEN

Group Art Unit: 1765

Examiner: Robert M. Kunemund

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. Applicant believes that a copy of each of the items identified on the attached form PTO-1449 have previously been made of record for this application, except for the article "Lab-on-a-Chip Based Protein Crystallization". Therefore, copies are not being submitted with this IDS, except for the above-identified article, which is attached. However, if the Examiner would like copies of the other cited references, Applicant will provide the references upon request.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35

### CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 2, 2004  
Date of Deposit

Linda Johnson

Name of Person Mailing Paper

*Linda Johnson*  
Signature of Person Mailing Paper

02/10/2004 RHAB11 00000003 502256 10060955  
02 FC:1806 160.00 DA

USC § 102 with respect to this invention unless specifically designated by Applicant as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☒ Please charge to Deposit Account No. **50-2256** for the above fee(s).

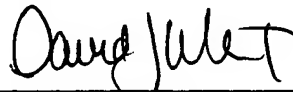
Although Applicant does not believe any additional fees are required, the Commissioner is authorized to charge any additional fees required by the filing of these papers to Syrrx's Deposit Account No. **50-2256**.

Respectfully submitted,

SYRRX, INC.

Dated: February 2, 2004

By: \_\_\_\_\_



David J. Weitz  
Reg. No. 38,362  
General Counsel, V.P. of Intellectual  
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

1

**Complete if Known**

Application Number	10/060,955
Filing Date	January 29, 2002
First Named Inventor	Peter R. David
Group Art Unit	1765
Examiner Name	Robert M. Kunemund
Attorney Docket Number	SYRTECH-5002-C6

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date/ Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	AA	US- 5,833,860	11-10-1998	Kopaciewicz et al.	
	AB	US- 6,220,075	04-24-2001	Papen et al.	
	AC	US- 2002/0029814-A1	03-14-2002	Unger et al.	
	AD	US 2002/0137218-A1	09-26-2002	Mian et al.	
	AE	US- 2002/0144738-A1	10-10-2002	Unger et al.	
	AF	US- 2002/0145231-A1	10-10-2002	Quake et al.	
	AG	US- 2002/0189529-A1	12-19-2002	David et al.	
	AH	US- 2002/0189530-A1	12-19-2002	David	
	AI	US- 2002/0195046-A1	12-26-2002	David et al.	
	AJ	US- 2002/0195047-A1	12-26-2002	David	
	AK	US- 2002/0195048-A1	12-26-2002	David	
	AL	US- 2002/0195049-A1	12-26-2002	David	
	AM	US- 2003/0005877-A1	01-09-2003	David	
	AN	US- 2002/0195051-A1	12-26-2002	David	
	AO	US- 2002/0195052-A1	12-26-2002	David	
	AP	US- 6,527,432	03-04-2003	Kellogg et al.	
	AQ	US- 2003/0061687-A1	04-03-2003	Hansen et al.	
	AR	US- 2003/0154910-A1	08-21-2003	David	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AS	VAN DER WOERD, MARK, Lab-on-a-Chip Based Protein Crystallization, Presentation: NASA, Marshall Space Flight Center, 10/25/01 (27 pages)	Cited by Examiner

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.